

OFFICIAL**FAX TRANSMISSION****DATE:** September 29, 2003**PTO IDENTIFIER:** Application Number 08/653,294
Patent Number**Inventor:** Carol A. CLAYBERGER, et al.**MESSAGE TO:** Christina Chan - U.S. Patent and Trademark Office**FAX NUMBER:** (703) 746-5030**FROM:** MORRISON & FOERSTER LLP

Laurie L. Hill, Ph.D.

PHONE: (858) 720-7955**Attorney Dkt. #:** 286002020023**PAGES (Including Cover Sheet):** 53**CONTENTS:** Transmittal (1 page);
Communication (2 pages);
Copy of Notice of Appeal and associated papers mailed June 30, 2003 (8 pages); and
Copy of Appcal Brief and Associated papers mailed September 2, 2003 (41 pages).

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MORRISON & FOERSTER LLP3811 Valley Centre Drive, Suite 500, San Diego, California 92130
Telephone: (858) 720-5100 **Facsimile:** (858) 720-5125

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

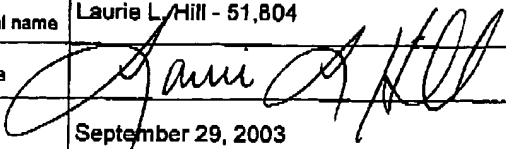
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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	08/653,294
		Filing Date	May 24, 1996
		First Named Inventor	Carol A. CLAYBERGER
		Art Unit	1644
		Examiner Name	M. Dibrino
Total Number of Pages in This Submission	52	Attorney Docket Number	286002020023

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication (2 pages) Copy of Notice of Appeal and associated papers filed mailed June 30, 2003 (8 pages) Copy of Appeal Brief and Associated papers mailed September 2, 2003 (41 pages)
Remarks <p style="text-align: center;">Customer No. 25225</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Laurie L. Hill - 51,804
Signature	
Date	September 29, 2003

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 746-5030, on the date shown below.

Dated: 9/29/03 Signature:  (Michael Boyd)

sd-166154

Received from <858 720 5125> at 9/29/03 9:25:53 PM [Eastern Daylight Time]

COPY

Attv Docket No.: 286002020023

Attv Docket No.: 286002020023

Inventor: Carol A. CLAYBERGER, et al

Application No.: 08/853,294

Title: IMMUNOMODULATING DIMERS

Filing Date: May 24, 1998

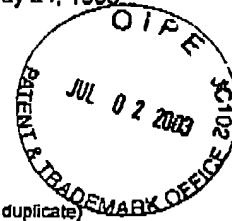
Documents Filed:

Transmittal (1 page)

Fee Transmittal (1 page, 1 duplicate)

One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page, 1 duplicate)

Notice of Appeal (1 page, 1 duplicate)



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Via: First Class Mail

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Date: June 30, 2003

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Dated: 9/29/03Signature: 

(Michael Boyd)

Docket No.: 286002020023
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Carol A. CLAYBERGER, et al.

Application No.: 08/653,294

Art Unit: 1644

Filed: May 24, 1996

Examiner: M. Dibrino

For: IMMUNOMODULATING DIMERS**COMMUNICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Attached per the request of the Office are copies of the Notice of Appeal and associated papers mailed June 30, 2003, including a signed Certificate of Mailing and a copy of the stamped return postcard from the USPTO. Also enclosed are copies of the Appeal Brief and associated papers mailed September 2, 2003, including a signed Certificate of Mailing and a copy of the U.S. Postal Service Express Mail Shipment Delivery Confirmation.

SD-166151

Application No.: 08/653,294

2

Docket No.: 286002020023

REMARKS

Copies of papers previously mailed to the PTO are resubmitted herewith as a courtesy.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **286002020023**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 29, 2003

Respectfully submitted,

By 

Laurie L. Hill, Ph.D.

Registration No.: 51,804

MORRISON & FOERSTER LLP

3811 Valley Centre Drive, Suite 500

San Diego, California 92130

(858) 720-7955

sd-166151

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 U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	08/653,294	
	Filing Date	May 24, 1996	
	First Named Inventor	Carol A. CLAYBERGER, et al	
	Group Art Unit	1644	
	Examiner Name	M. Dibrino	
Total Number of Pages in This Submission	7	Attorney Docket Number	286002020023

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☒ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Assignment Papers (for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD. Number of CD(s) _____☐ After Allowance Communication to Group☒ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below)

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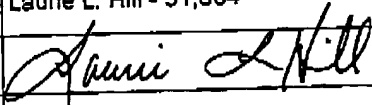
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name

MORRISON & FOERSTER LLP
Laurie L. Hill - 51,804

Signature



Date

June 30, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 6/30/03

Signature: 

(Ruth Saskowski)

sd-153761

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PTO/SB/17 (01-03)

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 840.00

C mple if Known

Application Number 08/653,294

Filing Date May 24, 1996

First Named Inventor Carol A. CLAYBERGER, et al

Examiner Name M. Dibrino

Group Art Unit 1644

Attorney Docket No. 286002020023

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

03-1952

Deposit Account Name

Morrison & Foerster LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	520.00
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	320.00
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 840.00

SUBMITTED BY

Name (Print/Type) Laurie K. Hill

Signature

Registration No. (Attorney/Agent)

51,804

Complete (if applicable)

Telephone (858) 720-5100

Date

June 30, 2003

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Dated: 6/30/03

Signature: Ruth Saskowski

(Ruth Saskowski)

sd-153762